

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE DEPARTMENT OF LABOR AND INDUSTRY

Commissioner of Labor and Industry

**PREHEARING ORDER**

v.

Budget Towing, Inc. of St. Paul

A prehearing conference was held on February 7, 2007, at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401. Tricia L. Matzek, Assistant Attorney General, 445 Minnesota Street, Suite 900, St. Paul, MN 55101, appeared on behalf of the Department of Labor and Industry. Patrick Connor, Dudley and Smith, 101 East Fifth Street, Suite 2602, St. Paul, MN 55101, appeared on behalf of Budget Towing, Inc. of St. Paul.

IT IS HEREBY ORDERED:

1. Discovery shall be completed by **April 10, 2007**.
2. In the event that either party determines that it will call an expert witness at the hearing, that party shall notify the opposing party and the Administrative Law Judge so that a deadline may be set for disclosure of the expert's testimony, any report prepared by the expert for this matter, and a curriculum vitae for the expert.
3. Any dispositive motions shall be served by **April 26, 2007**, and the responding party shall have ten working days to respond.
4. This matter is scheduled for hearing on **June 20, 2007**, commencing at **9:30 a.m.**, at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401.
5. The parties shall exchange proposed written exhibits and witness lists, and file an index of exhibits and a copy of the witness list with this office by **June 13, 2007**. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit shall notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.

6. Hearings are ordinarily tape-recorded. In the event that any party requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **June 13, 2007**. See Minn. R. 1400.7400, subp. 2.

7. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at [www.oah.state.mn.us](http://www.oah.state.mn.us).

8. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.

9. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated this 8th day of February 2007.

/s/ Beverly Jones Heydinger  
BEVERLY JONES HEYDINGER  
Administrative Law Judge